

C. The proposed use and the conditions in which it will be operated or maintained, will not be detrimental to the public health, safety, or general welfare. Access to the property will be one driveway located on Canwood Street, and two main driveways within the site. Sufficient on-site parking will be provided for the use. The varied roof lines of the buildings and its proximity to neighboring properties will preserve the light, air, privacy and open space to the surrounding neighboring parcels. The project meets the maximum building coverage standards for the Business Park-Manufacturing zone.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The single buildings are less than the 35-foot building height limitation for structures within the zone. Building lot coverage is below the maximum allowed for the zone and setbacks from property lines exceed the minimum distance required of the zone.

E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. Although existing light industrial uses are located on Derry Avenue and Clareton Street in close proximity to the project site, the proposed industrial park will contribute to a mix of land uses which meet the diverse needs of Agoura Hills residents, offer a variety of employment opportunities, and allow for capture of regional growth, as called for Goal No. 1 of the General Plan Land Use Element. The project also meets the implementation measures of the General Plan Economic Element by encouraging the location and development of services that will support the industrial and commercial office base.

Section IV. The removal of one (1) oak tree and the encroachment within the protected zone of one (1) oak tree, as conditioned, are needed for access within the site. Measures will be implemented to mitigate the loss of oak trees through the requirement to provide for at least four (4) new oak trees on the site.

Section V. In accordance with the California Environmental Quality Act, the City has provided public notice of the intent to adopt a Mitigated Negative Declaration for this project. Based upon the initial study, public comments and the record before the Planning Commission, the Planning Commission finds that the Mitigated Negative Declaration identifies potentially significant environmental effects for which feasible mitigation measures have been identified which will avoid or substantially lessen such effects. The Planning Commission has reviewed the information contained in the Mitigated Negative Declaration in considering the application and finds that the Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act. The Planning Commission hereby adopts the attached Mitigated Negative Declaration and Mitigation Monitoring Plan.

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Section VI. Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit Case No. 06-CUP-003 and Oak Tree Permit Case No. 06-OTP-005, subject to the attached conditions, with respect to the property described in Section I hereof.


PASSED, APPROVED, and ADOPTED this 19th day of June, 2008, by the following vote to wit:

AYES: (2) O'Meara, Zacuto
NOES: (1) Nouzille
ABSTAIN: (0)
ABSENT: (2) Buckley Weber, Rishoff



John O'Meara, Chairperson

ATTEST:



Doug Hooper, Secretary

CONDITIONS OF APPROVAL (Case Nos. 06-CUP-003 and 06-OTP-005)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of Approval of this Permit with the Department of Planning and Community Development. Any conditions on such acceptance or challenges, including the filing of legal action, relating to the permit or the conditions, shall be treated as a failure to meet this Condition and shall nullify and void this permit.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the labeled exhibits approved by the Planning Commission: Site Plan, Building Elevation Plans, Floor Plans, Roof Plans, Grading Plans and Landscape Plans.
4. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. All requirements of the Zoning Ordinance and of the specific Zoning of the property must be complied with unless set forth in the Conditional Use Permit.
7. No occupancy shall be granted for any new building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
8. Unless waived by the Director of Planning and Community Development, all utilities existing and proposed shall be placed underground. If overhead utilities of 66 KV or greater exist on or about the subject property, the applicant shall file an agreement to join any Assessment District subsequently created to underground said lines.
9. If required, the applicant shall provide road markers opposite the existing or proposed fire hydrants serving the property to the satisfaction of the City Engineer.

Conditions of Approval (Case Nos. 06-CUP-003 and 06-OTP-005)

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10. A minimum of two hundred and seventeen (217) parking spaces shall be provided on the subject property, at nine (9) of which shall be designated for handicap parking. All parking spaces shall include wheel stops and the spaces shall be of standard size and pinstriped, in conformance with the City Parking Ordinance.
11. The applicant shall comply with all applicable Public Health Statutes, Ordinances and Regulations related to the disposal of sewage.
12. All structures shall conform to the requirements of the Division of Building and Safety of the City of Agoura Hills.
13. The applicant shall comply with the requirements of the Los Angeles County Fire Department prior to the issuance of Building or Grading Permits. The Forester and Fire Warden shall be consulted to ascertain the required fire flows and fire hydrants to accommodate the proposed development.
14. Unless Conditional Use Permit Case No. 06-CUP-003 and Oak Tree Permit Case No. 06-OTP-005 are used within two (2) years from the date of City approval, the permit will expire. A written request for a one-year extension may be considered prior to the expiration date.
15. The applicant shall provide a paved all-weather access from the parking area to the street, as required by the City Engineer.
16. Prior to the issuance of a Building Permit, the applicant shall comply with the school impact fee requirements of the Las Virgenes Unified School District. The current fee is \$0.47/gross square foot for commercial/industrial construction. Actual fees will be determined at the time of building permit issuance.
17. The applicant shall pay to the City the applicable Fire District Developer Fee prior to the issuance of Building Permits. The current fee is \$0.9223/gross square foot for commercial construction. Actual fees will be determined at the time of building permit issuance.
18. The applicant shall pay to the City the applicable General Plan Update Recovery Fee prior to the issuance of a Building Permit. The current fee is \$1.41/\$1,000 of building valuation. Actual fees will be determined at the time of Building Permit issuance.

19. Prior to the issuance of a Building Permit, the applicant shall submit a letter to the Director of Planning and Community Development agreeing to suspend construction in the vicinity of a cultural resource encountered during development of the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures. All fees and expenses for the retaining of a qualified archaeologist shall be paid by the applicant and shall not be at City expense. The applicant shall agree to comply with mitigation measures recommended by the archaeologist and approved by the Director of Planning and Community Development.

OAK TREE AND LANDSCAPING CONDITIONS

Oak Trees

20. The applicant is permitted to remove Oak Tree Number 14 to construct the project as approved. Four (4) replacement oak trees shall be planted to mitigate the removal. The replacement trees shall consist of two (2) thirty-six inch (36") box size trees, one (1) twenty-four inch (24") box size tree and one (1) fifteen (15) gallon container size tree. The species shall be *Quercus lobata* (Valley Oak) and the trees shall be located in the same vicinity as the original tree location. The City Oak Tree Consultant shall approve the final mitigation program.
21. The applicant is permitted to encroach within the protected zone of Oak Tree Number 12 to construct the project as approved.
22. The applicant shall provide a forty-eight (48) hour notice to the City and the applicant's oak tree consultant prior to the start of any approved work within the protected zone of any oak tree.
23. Prior to the start of any work or mobilization at the site, each oak tree to be preserved shall be fenced with temporary chain link fencing at the edge of the protected zone or at the approved work limits, in accordance with Article IX, Appendix A, Section V.C.1.1. The City Oak Tree Consultant shall approve the fencing locations.
24. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
25. Pruning of live branches is not authorized unless specifically approved by the City Oak Tree Consultant.

26. All approved excavation performed within the protected zone of any oak tree shall be performed with hand tools under the direct supervision of the applicant's oak tree consultant or the City Oak Tree Consultant.
27. No vehicles, equipment, materials, spoil or other items shall be used or placed within the protected zone of any oak tree at any time, except as specifically required to complete the approved work.
28. No irrigation or planting shall be installed within the drip line of any oak tree unless specifically approved by the City Oak Tree Consultant and the Director.
29. Natural oak leaf litter shall be preserved within the dripline of each oak tree. At the completion of construction, the applicant shall place three inches (3") of an approved mulch throughout the dripline of each oak tree if required to supplement natural leaf litter.
30. Within ten (10) days of the completion of work, the applicant's oak tree consultant shall submit written certification to the City. The certification shall describe all work performed and whether such work was performed in accordance with the above permit conditions.
31. Prior to the issuance of grading permits, the applicant shall submit an objectively observable maintenance and care program to insure the health and care of all oak trees within the property. Both existing trees and trees to be planted shall be addressed.

Landscaping

31. Prior to the approval of building permits, the applicant shall submit three (3) sets of landscape plans meeting the following requirements, subject to review by the City Landscape Consultant and approval by the Director of Planning and Community Development:
 - a. A California-licensed landscape architect shall prepare, stamp and sign the plans.
 - b. All plans shall be legible and clearly drawn.
 - c. Plans shall not exceed thirty inches (30") by forty-two inches (42") in size. Plans shall be a minimum of twenty-two inches (22") by thirty-six inches (36") in size.
 - d. A true north arrow and plan scale shall be noted. The scale shall be no smaller than one inch equals twenty feet (1"=20'), unless approved by the City Landscape Consultant.

- e. A title block shall be provided, indicating the names, addresses and telephone numbers of the applicant and landscape architect.
 - f. The project identification number shall be shown on each sheet.
 - g. The plans shall accurately and clearly depict the following existing and proposed features:
 - Landscape trees, shrubs, ground cover and any other landscaping materials
 - Property lines
 - Streets, street names, right-of-ways, easements, driveways, walkways, bicycle paths, and any other paved areas
 - Buildings and structures
 - Parking areas, including lighting, striping and wheel stops
 - General contour lines
 - Grading areas, including tops and toes of slopes
 - Utilities, including street lighting and fire hydrants
 - Natural features, including watercourses, rock outcroppings
 - h. The Planting Plan shall indicate the botanical name and size of each plant.
32. Plant symbols shall depict the size of the plants at maturity. Tree spacing specifically shall be adjusted to allow for optimum growth of each tree species.
33. The final plans shall not include any palm species.
34. All finger planters shall be at least eight feet (8') wide and spaced no more than ten (10) stalls apart.
35. Plant container sizes and/or spacing shall be provided. Minimum sizes shall be acceptable to the City Landscape Consultant and the Director.
36. In addition to any oak trees required for mitigation purposes, the landscape plan shall include one (1) twenty-four inch (24") box size oak tree per fifteen thousand (15,000) gross square feet of building area. It is expected that eight (8) such oak trees will be required to meet this requirement.

37. The landscape plans shall prominently display the following notes:
 - a. All plant material shall conform to the most recent edition of ANSI Z60.1 - American Standard for Nursery Stock.
 - b. All trees planted on the site shall meet minimum nursery stock standards as developed by the California Department of Forestry and Fire Protection.
 - c. Prior to scheduling an inspection of the landscape installation with the City, the applicant's landscape architect shall certify in writing that the installation is in conformance with the approved landscape plans.
38. Proposed light standard locations shall be depicted on the planting plan. Any conflicts between light standard and tree locations shall be resolved to the satisfaction of the City Landscape Consultant.
39. The Irrigation Plan shall be provided separate from but utilizing the same format as the Planting Plan.
40. The irrigation design shall provide adequate coverage and sufficient water for the continued healthy growth of all proposed plantings with a minimum of waste and over spray on adjoining areas.
41. The Irrigation Plan shall be concise and accurate and shall include the manufacturer, model, size, demand, radius, and location of the following, as appropriate:
 - a. Design and static pressures
 - b. Point of connection
 - c. Backflow protection
 - d. Valves, piping, controllers, heads, quick couplers
 - e. Gallon requirements for each valve
42. Three (3) copies of details and specifications shall be provided, addressing but not limited to, planting, soil preparation, tree staking, guying, installation details, and post installation maintenance.

43. One copy of each of the following approved plans shall be submitted with the initial landscape plan check:
 - Site Plan
 - Elevations
 - Grading Plan
 - Conditions Of Approval
44. A complete Landscape Documentation package is required at the time of initial plan check submittal, prepared in accordance with Article IX, Section 9658.6 – Water Efficient Landscaping, contained in the Zoning Code.
45. A minimum of twenty percent (20%) of the total lot shall be landscaped.
46. A minimum of fifteen percent (15%) of the parking lot, including driveways and aisles, shall be landscaped, distributed evenly throughout the parking lot.
47. To the extent feasible, shade trees shall be provided such that fifty percent (50%) of the parking lot, including driveways and aisles, shall be covered by tree canopies within fifteen (15) years after installation.
48. In accordance with the Freeway Corridor Overlay District, the final plant palette and arrangement shall provide more naturalistic and native theme, emphasizing native oak trees, throughout the development.
49. All plant material must be considered compatible with Sunset Zone 18.
50. All landscaping shall be irrigated and maintained in perpetuity in accordance with the approved Landscape Plan.
51. Poor landscape practices such as topping, hedging and “lollipopping” shall not be permitted and may require that plant materials be replaced with like size materials at the discretion of the City Landscape consultant.
52. Any new perimeter walls shall be decorative with a height of six feet (6’), subject to review and approval by the City Landscape Consultant and the Director.

PUBLIC WORKS/ENGINEERING DEPARTMENT CONDITIONS

PRIOR TO PERMITTING (GRADING, BUILDING ENCROACHMENT, ETC.)

General

53. Record Parcel/Tract No. 65503 pursuant to the Subdivision Map Act and in accordance with City Code. Provide a duplicate photo mylar of the recorded map to the City Engineer.
54. Record Parcel/Tract No. 65503 pursuant to the Subdivision Map Act and in accordance with City Code. Provide a duplicate photo mylar of the recorded map to the City Engineer.
55. All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the City Engineer for review and approval.
56. For all work within public right-of-way, the applicant shall obtain an Encroachment Permit. Prior to issuance of this permit, all public improvement plans, which include but are not limited to, street, water, sewer, storm drain, lighting, signing and striping, etc shall be reviewed and approved by the City Engineer. Water plans shall be designed to meet LVMWD standards and contain a signature block for the City Engineer. All associated fees and securities shall be based upon completed Engineering Cost Estimate forms, approved by the Engineering Department. Forms are available for download from the City's website at www.ci.agoura-hills.ca.us.
57. Applicant shall pay all applicable Transportation Impact Fees (TIF) to the Building and Safety Department. The current fee is \$4.183 per square foot of gross building area.
58. All existing street and property monuments within or abutting this project site shall be preserved consistent with AB1414. If during construction of onsite or offsite improvements monuments are damaged or destroyed, the applicant shall retain a licensed land surveyor or civil engineer to reset those monuments per City's Standards and file the necessary information with the County Recorder's office.

59. Detailed on-site utility information shall be shown on the grading plan, which includes, but is not limited to, backflow prevention devices, exact location of laterals water meter size and location, invert elevations and grades for all gravity lines. The grading plan will not be approved by the Engineering Department until this detailed utility information is included on the plans.
60. Grading Plan shall show location(s) of all Oak trees within the vicinity of the site. Applicant shall adhere to all requirements pertaining to Oak trees as outlined in the City's Oak Tree Consultant's Conditions of Approval.
61. The applicant shall submit electronic files (i.e., CAD file, on disc) of project-related off-site improvement plans as deemed necessary by the City Engineer. These electronic files shall accompany original mylars of improvement plans to be approved/signed by the City Engineer. Improvement plans will not be approved by the City Engineer if not accompanied by CAD files.
62. Submit a soils/geology report to the project engineer for review and approval in accordance with Government Code, Section 66434.5 as required by the City Engineer.
63. Prior to issuance of permits from the Engineering Department, this project will require a permit from the following agencies: Las Virgenes Municipal Water District (prior to water and sewer connections).
64. Building Permits shall not be issued until graded building pad(s) have been certified for compaction and elevation to the City's satisfaction. Contact Engineering Department @ 818.597.7322 for approved City certification forms.

Public Improvements

65. Design full public improvements in accordance with City Code, Specifications, approved specific plan, and/or approved Conditions of Approval for the area. Such public improvements may include, but not be limited to, the following:

Conditions of Approval (Case Nos. 06-CUP-003 and 06-OTP-005)

Improvement Item	CANWOOD STREET
Curb & Gutter	<input checked="" type="checkbox"/> New; 23~ ft from C/L <input type="checkbox"/> Replace Damaged <input checked="" type="checkbox"/> Remove existing & Relocate improvements
AC Pavement	<input checked="" type="checkbox"/> Remove and reconstruct as approved <input checked="" type="checkbox"/> Grind and modify as shown on plans
PCC Drive Approach	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Replacement on south side
Sidewalk	<input checked="" type="checkbox"/> New
ADA Access Ramp	<input checked="" type="checkbox"/> New
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (with irrigation)
Raised Median	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (with Irrigation) <input type="checkbox"/> Hard Landscaping
Street Lights	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Relocation – on south side, if any
Sewer Service (See sec. 2C)	<input checked="" type="checkbox"/> Main – show accurately on plan & profile and modify, if necessary due to grade adjustment. <input checked="" type="checkbox"/> Lateral
All water appearances are per LVMWD standards (see Section 2D)	<input checked="" type="checkbox"/> Yes
Storm Drain (See sec. 2E)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Catch Basin
Traffic Signal Facilities (See sec. 2G)	<input type="checkbox"/> New <input type="checkbox"/> Modification <input type="checkbox"/> Relocation
Traffic Signing and Striping (See sec. 2G)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modification
Bus Stop and/or Turn-out (See Sec. 2G)	<input type="checkbox"/> New <input type="checkbox"/> Modification
Underground Overhead Utilities	<input checked="" type="checkbox"/> Yes – as determined during final plan check process
Removal of	<u>Roadway bed and affected driveways and parking surface on (existing) private parking areas on south side of Canwood Street.</u>
Other required improvements	See Specific Note hereunder

SPECIFIC NOTES FOR IMPROVEMENTS LISTED ABOVE: With existing operational businesses on both sides, traffic phasing during construction must be reviewed and approved by City Traffic Engineer and the City Engineer, prior to issuance of Encroachment Permit.

66. The following existing streets being cut for new services or being finished with curb and gutter may require an asphalt concrete overlay: Canwood Street.
67. This property is within the LVMWD service area. Applicant shall make arrangements with LVMWD for those services and provide the City with proof that all LVMWD fees have been paid.

Sewer

68. 8-inch sewer line is available for connection by this project in Canwood Street [Ref. Sewer Plan Dwg # CO2-0190-01, -02 and CO2-0201-01, -02, and -03.]
69. Due to vertical grade adjustment of roadway, potential sewer relocation may be required as determined by City Engineer. All costs associated with any relocation shall be sole responsibility of applicant.

Water

70. All water facilities shall be designed to comply with all LVMWD requirements. Final plans must be reviewed and approved by LVMWD and City.
71. Due to vertical grade adjustment of roadway, potential water relocation may be required as determined by City Engineer. All costs associated with any relocation shall be sole responsibility of applicant.

Drainage/Hydrology

72. A hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California, in accordance with the Los Angeles County Hydrology Manual is required. Additional drainage facilities or portions of the site/grading plan may need to be altered as a result of the findings of this study. Applicant's engineer shall design any proposed main lines and obtain review and approval of the City Engineer.

Stormwater Quality (NPDES)

73. Prior to the approval of the Grading Plan and issuance of Grading Permits, an Erosion and Sediment Control Plan (ESCP) shall be submitted to and approved by the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on this project, during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. Said plan shall ensure, among other things, that the following minimum requirements are effectively implemented at all construction sites:
- A. Sediments generated on the project site shall be retained using adequate Treatment Control or Structural BMPs;
 - B. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
 - C. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
 - D. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes; and covering erosion susceptible slopes.
74. Prior to the approval of the Grading Plan and issuance of Grading Permits, a completed Standard Urban Stormwater Mitigation Plan (SUSMP) shall be submitted to and approved by the Engineering Department. The SUSMP shall be prepared per the Los Angeles County Standard Urban Stormwater Mitigation Plan (SUSMP) design guidelines. SUSMP shall identify, among other things, all Post-Construction, Site Design, Source Control and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.

75. All projects that develop one (1) acre or more of total land area, or which are part of a larger phased development that will disturb at least one acre of land, are required to obtain coverage under the State Water Resources Control Board's General Permit For Storm Water Discharges Associated With Construction Activity. Proof of filing a Notice of Intent (NOI) with the State for coverage under this permit is required prior to approval of the grading plan and issuance of grading permits. The applicant shall submit a copy of the Waste Dischargers Identification Number (WDID) for coverage under the General Construction Permit to the Engineering Department.
76. SWPPP Plan – All projects that develop one (1) acre or more of total land area or which are part of a larger phased development that will disturb at least one acre of land, are required to prepare a Storm Water Pollution Prevention Plan (SWPPP), utilizing the model form in Appendix B of the 2003 CASQA Stormwater BMP Handbook for Construction at: www.cabmphandbooks.com and submit a copy of the plan to the City of Agoura Hills Engineering Department for review. A copy of the adopted SWPPP shall be maintained in the construction site office at all times during construction and the Site Superintendent shall use the plan to train all construction site contractors and supervisory personnel in construction site Best Management Practices, prior to starting work on the site.

Said plan shall, among other things, ensure that the following minimum requirements are effectively implemented at all construction sites:

- A. Sediments generated on the project site shall be retained using adequate Treatment Control or structural BMPs;
- B. Construction-related materials, wastes, spills, or residues shall be retained at the project site to avoid discharge to the streets, drainage facilities, receiving waters, or adjacent properties by wind or runoff;
- C. Non-storm water runoff from equipment and vehicle washing and any other activity shall be contained at the project site;
- D. Erosion from slopes and channels shall be controlled by implementing an effective combination of BMPs such as the limiting of grading scheduled during the wet season; inspecting graded areas during rain events; planting and maintenance of vegetation on slopes and covering erosion susceptible slopes.

Traffic/Transportation

77. The applicant is required to submit a focused traffic impact study. The study shall address any or all of the following issues as required by the City Engineer: parking, on- and off-site circulation, and/or build-out and future years traffic Level of Service (LOS) and impacts at intersections selected by the City.
78. All mitigation measures or requirements as identified in the Traffic Impact Study shall automatically become Conditions of Approval for this project.

PRIOR TO CERTIFICATE OF OCCUPANCY

79. All remaining fees/ deposits required by the Engineering Department must be paid in full.
80. All requirements including construction of improvements covered in Section 2, must be completed to the satisfaction of the City Engineer.
81. The Applicant's Engineer shall submit a set of MYLAR, Record (as-built) Drawings, for off-site improvements, to accurately reflect the constructed improvements. This set of Record Drawings reflecting all change orders during construction, must be submitted to the City via City's inspection prior to scheduling of final inspection for acceptance of the improvements. *Please note that no final inspection will be scheduled and subsequently no release of securities, posted for the project if any, will take place unless MYLAR, Record (As-built) Drawings, satisfactory to the City, are submitted.*
82. The applicant shall *record a covenant for continued stormwater maintenance, using City-approved forms*, with the Los Angeles County. An electronic copy of this document is available on the City's website: www.agoura-hills.ca.us.
83. All monuments shall be set in accordance with the final map, and all centerline ties shall be submitted to the Engineering Department. Any monuments damaged as a result of construction, shall be reset to the City's satisfaction.

FIRE DEPARTMENT CONDITIONS

84. The applicant shall comply with all conditions of the Los Angeles County Fire Department prior to the issuance of a building permit.

SOLID WASTE MANAGEMENT CONDITIONS

85. To ensure that solid waste generated by the project is diverted from the landfill and reduced, reused, or recycled, the applicant shall submit a "Waste Reduction & Recycling Plan" to the City for review and approval. The plan shall provide for at least 50% of the waste generated on the project to be diverted from the landfill. Plans shall include the entire project area, even if tenants are pursuing or will pursue independent programs. The plan shall be submitted to and approved by the Department of Planning and Community Development prior to issuance of a building permit. The plan shall include the following information: material type to be recycled, reused, salvaged, or disposed; estimated quantities to be processed, management method used, and destination of material including the hauler name and facility location. The City's Waste Reduction & Recycling Plan form or a similar format shall be used.
86. The project shall comply with the plan and provide for the collection, recycling, and/or reuse of materials (i.e. concrete, wood, metal, cardboard, green waste, etc.) and document results during demolition and/or construction of the proposed project. After completion of demolition and/or construction, the applicant shall complete a Waste Reduction & Recycling Summary Report and provide legible copies of weight tickets, receipts, invoices or letters of verification for materials sent to disposal or reuse/recycling facilities. For other discarded or salvaged materials, the applicant shall provide documentation, on the disposal facility's letterhead, identifying where the materials were taken, type of materials, and tons or cubic yards disposed, recycled or reused and the project generating the discarded materials. The Waste Reduction & Recycling Summary Report shall be submitted and approved prior to issuance of a certificate of occupancy.
87. The applicant shall arrange for materials collection during construction, demolition, and occupancy with a City permitted hauling company, or shall arrange for self-hauling to an authorized facility.

PLANNING DEPARTMENT/SPECIAL CONDITIONS

88. A pre-construction conference shall be held prior to the issuance of a grading permit with all construction personnel involved with the grading operations. A procedure shall be established to handle any complaints received from the surrounding property owners or residents of the City during the grading and construction operations. Applicant shall deposit funds with the City necessary to cover costs of the City hiring an environmental mitigation monitor.

89. Roof-mounted mechanical equipment shall be screened from public view and views from adjoining properties in a manner that is architecturally compatible with the buildings and subject to review and approval by the Director of Planning and Community Development.
90. Prior to the issuance of a building permit, the applicant shall submit a comprehensive sign program for the project for review and approval by the Planning Commission.
91. Prior to submitting plans into plan check for a building permit, and in addition to complying with the requirements of the adopted Mitigation and Monitoring Program for this project, the applicant shall provide an exterior lighting fixture detail plan and photometric plan for review and approval by the Planning Commission. The plan shall comply with the City's lighting design standards and guidelines. Roof-mounted lighting is prohibited and wall-mounted lights are discouraged but may be considered by the Planning Commission upon review of a lighting fixture detail plan and photometric plan. The light intensity of installed project light fixtures shall be subject to field review and approval by the Community Development Director. The lighting shall be of a low intensity that is compatible with the natural environment.
92. Pursuant to Municipal Code Section 9659, prior to the issuance of a Building Permit, the applicant shall submit a public art plan for the buildings which meets the requirements set forth by the City Council, for review and approval by the Director of Planning and Community Development. Prior to the issuance of occupancy for the buildings, the artwork shall be constructed and thereafter displayed for public view in a location approved by the Director of Planning and Community Development. If the approved art display is not maintained in good condition, or is altered without the permission of the Director of Planning and Community Development so that the improvements no longer conform to the approved arts plan, the certificate of occupancy may be revoked and the owner of the property on which the improvement is located shall be deemed to have committed a misdemeanor.
93. Enclosures required for solid waste and recyclable materials shall be constructed per the design requirements of Municipal Code Section 9606.5.
94. On-site decorative paving shall be provided at the driveway entrance serving the site and on the pedestrian pathways located between the buildings within the parking areas. The color, materials, length and location of the decorative paving shall be subject to review and approval by the Director of Planning and Community Development.

95. Prior to the submittal of plans into plan check for a Grading Permit or Building Permit, the applicant shall comply with the project recommendations of the City Geotechnical Consultant and the City Geological Consultant.
96. All outstanding fees owed to the City, if any, shall be paid by the applicant within thirty (30) days from the date of this approval.
97. The applicant shall comply with all building material samples approved by the Planning Commission. Prior to final painting and final application of stone veneer on the buildings, the applicant shall provide color samples on the building wall for review and approval by the Director of Planning and Community Development.
98. Location and design details for all proposed walls and fences shall be provided for review and approval by the Director of Planning and Community Development, prior to the issuance of a grading permit. Garden walls and retaining walls shall be decorative (such as split-face block).
99. The Grading Plan shall specify proposed paving materials and include a note that refers to the Landscape Plan for specific landscape materials shown on the Grading Plan.
100. Satellite dish antennas shall be screened from view from the parking lot and adjacent roadways, including the freeway. The location and screening methods proposed for installation of a satellite dish shall be subject to review and approval by the Director of Planning and Community Development.
101. Except as otherwise approved herein, the applicant shall comply with all conditions of approval for Tentative Parcel Map No. 65503.
102. The applicant shall comply with all mitigation measures within the Mitigation Monitoring Program prepared for the adopted Mitigated Negative Declaration adopted for the project. The applicant shall pay for all mitigation review and monitoring completed by outside consultants such as the City Arborist, City-approved biologist or other consultants needed to ensure compliance with the Mitigation Monitoring Plan as determined by the Director of Planning and Community Development.

103. Prior to the starting construction, the site shall be temporarily fenced and screened on all sides for the duration of the construction project. The height of the fence shall be six (6) feet and fence material shall be overlaid on the exterior with a dark, opaque vinyl screen, or other equivalent fencing and screening material as approved by the Director of Planning and Community Development. Temporary construction fencing and gates shall be maintained in good order at all times.
104. Furniture details for the outdoor eating areas shall be shown on the landscape plan and shall be subject to approval by the Director of Planning and Community Development.

END

RESOLUTION NO. 938

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING TENTATIVE PARCEL MAP NO. 65503

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section I. An application was duly filed by Gregory Alekian of Komar Investments, LLC, with respect to the real property located at 28701 Canwood Street (Assessor's Parcel No. 2048-012-026), requesting approval of a Tentative Parcel Map to subdivide a 10-acre parcel for 25 industrial/office condominiums. A Public Hearing was duly held on June 19, 2008, at 6:30 p.m. in the City Council Chambers, City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

Section II. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid Public Hearings.

Section III. The Planning Commission finds, pursuant to the Agoura Hills Zoning Ordinance and Subdivision Ordinance, that:

A. The proposed Tentative Parcel Map, as conditioned, is consistent with the City's General Plan designation of BP-M (Business Park Manufacturing) in that the proposed Parcel Map will encourage the location and development of services that will support the industrial and commercial office base, as called for in the Land Use Element of the General Plan.

B. The site is physically suitable for future development in that the parcels of the Tentative Parcel Map are within proposed buildings which meet the development standards of the BP-M-FC (Business Park-Manufacturing - Freeway Corridor Overlay) zones relative to building locations, lot coverage, building height, and parking.

C. The design of the Tentative Parcel Map and proposed improvements are not likely to cause substantial environmental damage or serious public health problems. Street improvements and on-site property improvements will be required upon development of the vacant parcels.

D. The design of the Tentative Parcel Map or type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed development. Access to the parcels will be provided via Canwood Street.

Section IV. In accordance with the California Environmental Quality Act, the City has provided public notice of the intent to adopt a Mitigated Negative Declaration for this project. Based upon the initial study, public comments and the record before the Planning Commission, the Planning Commission finds that the Mitigated Negative Declaration identifies potentially significant environmental effects for which feasible mitigation measures have been identified which will avoid or substantially lessen such effects. The Planning Commission has reviewed the information contained in the Mitigated Negative Declaration in considering the application and finds that the Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act.

Section V. Based on the aforementioned findings, the Planning Commission hereby approves Tentative Parcel Map No. 65503, subject to the attached conditions, with respect to the property described in Section I hereof.

PASSED, APPROVED, and ADOPTED this 19th day of June, 2008, by the following vote to wit:

AYES: (2) O'Meara, Zacuto
NOES: (1) Nouzille
ABSTAIN: (0)
ABSENT: (2) Buckley Weber, Rishoff



John O'Meara, Chairperson

ATTEST:


Doug Hooper, Secretary

CONDITIONS OF APPROVAL (Tentative Parcel Map No. 65503)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing the appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing that the applicant is aware of, and accepts all Conditions of Approval of this Permit with the Department of Planning and Community Development. Any conditions on such acceptance or challenges, including the filing of legal action, relating to the permit or the conditions, shall be treated as a failure to meet this Condition and shall nullify and void this permit.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the approved Tentative Parcel Map No. 65503.
4. It is hereby declared to be the intent that if any provision of this Permit is held or declared to be invalid, the Permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a Condition of this action that if any Condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. All requirements of the Zoning Ordinance and of the specific Zoning of the property must be complied with unless set forth on the approved Tentative Parcel Map.
7. The applicant must comply with all requirements of the City Subdivision Ordinance.
8. No occupancy shall be granted for any new building until all Conditions of Approval have been complied with as determined by the Director of Planning and Community Development.
9. Unless the Final Parcel Map is recorded, Tentative Parcel Map No. 65503 shall expire within two (2) years from the date of Planning Commission approval. A written request for a one-year extension may be considered prior to the expiration date.
10. Tentative Parcel Map No. 65503 shall only be valid with Conditional Use Permit 06-CUP-003.

ENGINEERING DEPARTMENT CONDITIONS

Prior to Final Map Recordation

11. Dedicate the following right-of-way in the following locations: 13 feet on Canwood Street for total of one-half street ROW = 33 feet
12. Restrict vehicular access as follows: Only to those driveway locations shown on approved TPM.
13. Provide and record a reciprocal use agreement to assure common ingress and egress and joint maintenance of all common access parking areas and drives.
14. Provide a copy of proposed Covenants, Conditions and Restrictions (CC&Rs), as applicable to the project, to the City Engineer and Director of Planning and Community Development for review and approval of the City Attorney. These CC& R's shall ensure, among other things, common ingress and egress, joint maintenance of all common access parking areas, utilities and drives as applicable to the project. The CC&Rs shall be recorded prior to the issuance of a Building Permit.
15. Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
16. Provide a Monumentation bond (i.e. cash deposit) in an amount calculated by the Engineering Department or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
17. Provide a preliminary title report not older than 30 days.
18. Show a key map clearly showing all parcels listed on the Tentative Parcel Map No. 65503 and all existing and proposed easements .
19. Record Parcel/Tract No. 65503 pursuant to the Subdivision Map Act and in accordance with City Code. Provide a duplicate photo mylar of the recorded map to the City Engineer.

END

RESOLUTION NO. 11-1032

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF AGOURA HILLS
APPROVING AN AMENDMENT
TO CONDITIONAL USE PERMIT CASE NO. 06-CUP-003,
OAK TREE PERMIT CASE NO. 06-OTP-005,
AND TENTATIVE PARCEL MAP NO. 65503
FOR THE PURPOSE OF GRANTING A ONE-YEAR TIME EXTENSION

THE PLANNING COMMISSION OF THE CITY OF AGOURA HILLS HEREBY
FINDS, RESOLVES AND ORDERS AS FOLLOWING:

Section 1. An application was duly filed by Brett Trebil for Agoura Business Center North, LLC, with respect to real property located at 28721 Canwood Street (A.P.N. 2048-012-026), requesting approval of a Conditional Use Permit amendment, an Oak Tree Permit amendment, and a Tentative Parcel Map amendment for a one-year time extension to construct seven light industrial buildings totaling 103,070 square feet in size, to remove one oak tree and to encroach within the protected zone of one oak tree, and subdivide the parcel into twenty-five commercial/industrial condominium units. A public hearing was duly held on May 5, 2011, at 6:30 p.m. in the City Council Chambers of City Hall, 30001 Ladyface Court, Agoura Hills, California. Notice of the time, date, place and purpose of the aforesaid hearing was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid public hearing.

Section 3. The Planning Commission finds that the request for a time extension is acceptable given that there are no changes that are proposed to the project and that there are no significant changes to the site, to the surrounding area and to the regulations that affect the site. The Planning Commission, pursuant to the Agoura Hills Zoning Ordinance, finds that the findings contained in Planning Commission Resolution Nos. 937 and 938, approved on June 19, 2008, are still valid and state as follows:

A. The proposed use, as conditioned, is consistent with the objectives and provisions of the Zoning Ordinance and the purposes of the land use district in which the use is located. The property zoning designation and General Plan Land Use designation allows for development industrial buildings. The proposal meets the development standards for the BP-M-FC (Business Park-Manufacturing - Freeway Corridor Overlay) zones relative to building height, lot coverage, and setbacks from property lines. The project also meets the stated purpose of the Business Park-Manufacturing zone, which is "to provide areas for larger scale businesses involved in light manufacturing, research and development, assembly, distribution or services requiring larger facilities in integrated developments compatible with adjacent commercial and residential development."

B. The proposed use, as conditioned, is compatible with the surrounding properties. The proposed industrial park is allowed use within the Business Park-Manufacturing zone. The single-story building design which incorporates earthtone colors and natural materials are compatible with the surrounding commercial and residential development. The service doors for each proposed unit is oriented inward to site, thereby minimizing potential noise and visual impacts to adjacent residential and commercial properties.

C. The proposed use and the conditions in which it will be operated or maintained, will not be detrimental to the public health, safety, or general welfare. Access to the property will be one driveway located on Canwood Street, and two main driveways within the site. Sufficient on-site parking will be provided for the use. The varied roof lines of the buildings and its proximity to neighboring properties will preserve the light, air, privacy and open space to the surrounding neighboring parcels. The project meets the maximum building coverage standards for the Business Park-Manufacturing zone.

D. The proposed use, as conditioned, will comply with each of the applicable provisions of the Zoning Ordinance. The single buildings are less than the 35-foot building height limitation for structures within the zone. Building lot coverage is below the maximum allowed for the zone and setbacks from property lines exceed the minimum distance required of the zone.

E. The distance from other similar and like uses is sufficient to maintain the diversity of the community. Although existing light industrial uses are located on Derry Avenue and Clareton Street in close proximity to the project site, the proposed industrial park will contribute to a mix of land uses which meet the diverse needs of Agoura Hills residents, offer a variety of employment opportunities, and allow for capture of regional growth, as called for Goal No. 1 of the General Plan Land Use Element. The project also meets the implementation measures of the General Plan Economic Element by encouraging the location and development of services that will support the industrial and commercial office base.

F. The removal of one (1) oak tree and the encroachment within the protected zone of one (1) oak tree, as conditioned, are needed for access within the site. Measures will be implemented to mitigate the loss of oak trees through the requirement to provide for at least four (4) new oak trees on the site.

G. The proposed Tentative Parcel Map, as conditioned, is consistent with the City's General Plan designation of BP-M (Business Park Manufacturing) in that the proposed Parcel Map will encourage the location and development of services that will support the industrial and commercial office base, as called for in the Land Use Element of the General Plan.

H. The site is physically suitable for future development in that the parcels of the Tentative Parcel Map are within proposed buildings which meet the development standards of the BP-M-FC (Business Park-Manufacturing – Freeway Corridor Overlay) zones relative to building locations, lot coverage, building height, and parking.

I. The design of the Tentative Parcel Map and proposed improvements are not likely to cause substantial environmental damage or serious public health problems. Street improvements and on-site property improvements will be required upon development of the vacant parcels.

J. The design of the Tentative Parcel Map or type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed development. Access to the parcels will be provided via Canwood Street.

Section 4. Upon review of the mitigation measures included in the adopted Mitigated Negative Declaration previously prepared for the project, the Planning Commission determines that impacts would still be reduced to less than significant levels. Therefore, the Planning Commission hereby finds that no further review under the California Environmental Quality Act is required.

Section 5. Based upon the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit Case No. 06-CUP-0003 Amendment, Oak Tree Permit Case No. 06-OTP-005 Amendment, and Tentative Parcel Map No. 65503 Amendment, with respect to property described in Section 1 hereof, subject to the attached Conditions of Approval.

PASSED, APPROVED and ADOPTED this 5th day of May, 2011, by the following vote to wit:

AYES:	(4)	Justice, O'Meara, Moses, Rishoff
NOES:	(0)	
ABSENT:	(1)	Buckley Weber
ABSTAIN:	(0)	

Resolution No. 11-1032

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Steve Rishoff, Chairperson

ATTEST:



Mike Kamino, Secretary

CONDITIONS OF APPROVAL
CASE NOS. 06-CUP-003 (AMENDMENT), 06-OTP-005 (AMENDMENT),
AND TPM 65503 (AMENDMENT)

STANDARD CONDITIONS

1. This decision, or any aspect of this decision, can be appealed to the City Council within fifteen (15) days from the date of Planning Commission action, subject to filing appropriate forms and related fees.
2. This action shall not be effective for any purpose until the applicant has agreed in writing at the applicant is aware of and accepts all conditions of this permit with the Department of Planning and Community Development.
3. Except as modified herein, the approval of this action is limited to and requires complete conformation to the project plans as approved by the Planning Commission on June 19, 2008.
4. It is hereby declared to be the intent that if any provision of this permit is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. It is further declared and made a condition of this action that is any condition herein is violated, the Permit shall be suspended and the privileges granted hereunder shall lapse; provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
6. The applicant shall obtain a building permit and commence construction before June 19, 2012, or the entitlement will become void.
7. All Conditions of Approval in Planning Commission Resolution No. 937, except as modified herein, are valid and shall remain valid for the life of the project. The Conditions of Approval in Planning Commission Resolution No. 937 are amended as follows:
 - “14. Unless Conditional Use Permit Case No. 06-CUP-003 Amendment and Oak Tree Permit Case No. 06-OTP-005 Amendment are used ~~within two (2) years from the date of City approval by June 19, 2012,~~ the permits will expire. ~~A written request for a one year extension may be considered prior to the expiration date.”~~
8. All Conditions of Approval in Planning Commission Resolution No. 938, except as modified herein, are valid and shall remain valid for the life of the project. The Conditions of Approval in Planning Commission Resolution No. 938 are amended as follows:

- “9. Unless the Final Parcel Map is recorded, or unless otherwise extended per the Subdivision Map Act, Tentative Parcel Map No. 65503 shall expire ~~within two (2) years from the date of Planning Commission approval on June 19, 2012.~~ A written request for a one year extension may be considered prior to the expiration date.”

END

EXHIBIT G-4



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION - AMENDED
June 19, 2008**

ROLL CALL

was amended – Vice Chair Zacuto was replaced with Chair O’Meara in the second paragraph.

CALL TO ORDER:

Chair O’Meara called the meeting to order at 6:31 p.m.

FLAG SALUTE

Commissioner Nouzille

ROLL CALL:

Chair John O’Meara, Vice Chair Curtis Zacuto, Commissioners Illece Buckley Weber, Cyrena Nouzille, and Steve Rishoff. Commissioner Buckley Weber and Commissioner Rishoff were absent.

~~Vice Chair Zacuto~~ Chair O’Meara stated that staff had received notification of Commissioner Rishoff’s and Commissioner Buckley Weber’s absence prior to the meeting and that they had requested the Commission excuse their absences. There were no objections to excusing the absence.

Also, present were Assistant Community Development Director Doug Hooper, Senior Engineer Jay Patel, Oak Tree and Landscape Consultant Ann Burroughs, Environmental Consultants Sean Wazlaw and Cori Thomas, and Recording Secretary Sheila Keckhut.

1. APPROVAL OF MINUTES:

June 5, 2008 Planning Commission Meeting

On a motion by Vice Chair Zacuto, seconded by Commissioner Nouzille, the Planning Commission moved to approve the Minutes of the June 5, 2008 Planning Commission Meeting. Motion carried 2-0-1. Chair O’Meara abstained. Commissioner Rishoff and Commissioner Buckley Weber were absent.

COMMENTS FROM THE PUBLIC ON ITEMS NOT LISTED ON THE AGENDA:

None

CONTINUED PUBLIC HEARING

2. REQUEST: Request for approval of a Conditional Use Permit to construct a 4,880 square foot, two-story, single-family residence a 463 square foot attached two-car garage, a 100 square-foot patio cover and a 125 square-foot balcony/deck; and a request for an Oak Tree Permit to remove one (1) oak tree and encroach in the protected zone of nine (9) oak trees for the proposed construction.
- APPLICANT: Sean Ben-Menahem
5000 N. Parkway Calabasas, Suite 106
Calabasas, CA 91302
- CASE NOS.: 03-CUP-016 & 03-OTP-017
- LOCATION: 6149 Palo Comado Drive
(A.P.N. 2055-023-073)
- ENVIRONMENTAL DETERMINATION: Categorically Exempt from CEQA per Section 15303.
- RECOMMENDATION: Staff recommended the continued public hearing for Conditional Use Permit Case No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017, be continued to the July 17, 2008 Planning Commission meeting.
- ACTION: On a motion by Vice Chair Zacuto, seconded by Commissioner Nouzille, the Planning Commission moved to continue Conditional Use Permit No. 03-CUP-016 and Oak Tree Permit Case No. 03-OTP-017 to the July 17, 2008 Planning Commission meeting. Motioned carried 3-0. Commissioner Rishoff and Commissioner Buckley Weber were absent.

CONTINUED SITE PLAN/ARCHITECTURAL REVIEW

3. REQUEST: Request for approval of a Site Plan/Architectural Review application to construct a first and second-story addition and a garage addition, totaling 1,672 square feet, to an existing two-story residence.
- APPLICANT: Robert Mahterian Architects
For Jen and Mitch Hesen
28351 Agoura Road, Suite A
Agoura Hills, CA 91301
- CASE NO.: 07-SPR-008
- LOCATION: 5575 Micaela Drive
(A.P.N. 2053-024-097)
- ENVIRONMENTAL DETERMINATION: Categorically exempt from CEQA per Section 15303
- RECOMMENDATION: Staff recommended the Planning Commission adopt a motion directing staff to return with a resolution of denial, or a resolution of approval, for Site Plan/Architectural Review Case No. 07-SPR-008, for adoption at the July 17, 2008 Planning Commission meeting.
- PUBLIC COMMENTS: Chair O'Meara opened the Public Hearing
- The following person spoke in opposition of the project.
- Mark McCoy, resident
- Chair O'Meara closed the Public Hearing
- ACTION: On a motion by Vice Chair Zacuto, seconded by Commissioner Nouzille, the Planning Commission moved to have staff return with a resolution of denial for Site Plan/Architectural Review Case No. 07-SPR-008 at the July 17, 2008 Planning Commission meeting. Motioned carried 3-0. Commissioner Rishoff and Commissioner Buckley Weber were absent.

NEW PUBLIC HEARINGS

4. REQUEST:

A request for approval of a Conditional Use Permit to construct seven (7), one-story, light industrial buildings totaling 103,070 square feet; a request for an Oak Tree Permit to remove one (1) oak tree and encroach within the protected zone of one (1) oak tree for the proposed construction; a request for approval of a Tentative Parcel Map to subdivide the 10-acre parcel into 25 commercial/industrial condominium units; and a request for adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program.

APPLICANT:

Gregory Alekian
Komar Investments, LLC
23 Corporate Plaza, Suite 247
Newport Beach, CA 92260

CASE NOS.:

06-CUP-003; 06-OTP-005; and PM 65503

LOCATION:

28701 Canwood Street (A.P.N. 2048-012-026)

ENVIRONMENTAL
DETERMINATION:

Mitigated Negative Declaration

RECOMMENDATION:

Staff recommended approval of Conditional Use Permit Case No. 06-CUP-003; Oak Tree Permit Case No. 06-OTP-005; and Tentative Parcel Map No. 65503, subject to conditions, In addition, Staff recommends adoption of the Mitigated Negative Declaration and Mitigation Monitoring Program.

PUBLIC COMMENTS:

Chair O'Meara opened the public hearing.

The following persons spoke in favor of the project.

Vache Hanessian, Komar Investments, applicant.

Clint Knox, Project Director representing the applicant.

Hugh Rose, Architects Orange representing the applicant.

Hans Giroux Environmental Consultant representing applicant.

Don Waite, Westland Civil representing applicant.

John Innes, Landscape Architect, and Oak Tree Consultant representing applicant.

Jack Dwyer, resident representing Ygal Levy.

The following person spoke neither for nor against the project

Steven Gittleman Annandale HOA spoke neither for nor against the project.

REBUTTAL:

Clint Knox, Project Director and Hans Giroux, Environmental Consultant representing the applicant gave rebuttal regarding the project and answered additional questions of the Planning Commission.

Chair O'Meara closed the public hearing.

RECESS:

Chair O'Meara called for a recess at 8:02 p.m.

RECONVENE:

Chair O'Meara reconvened the meeting at 8:16 p.m.

ACTION:

On a motion by Vice Chair Zacuto, seconded by Chair O'Meara, the Planning Commission moved to adopt the Resolution, approving Conditional Use Permit Case No. 06-CUP-003; Oak Tree Permit Case No. 06-OTP-005, subject to conditions and the adoption of the Mitigated Negative Declaration and Mitigation Monitoring Program. Motion carried 2-1. Commissioner Rishoff and Commissioner Buckley Weber were absent.

On a motion by Vice Chair Zacuto, seconded by Chair O'Meara, the Planning Commission moved to adopt the Resolution, approving Tentative Parcel Map No. 65503 subject to conditions. Motion carried 2-1. Commissioner Rishoff and Commissioner Buckley Weber were absent.

5. REQUEST:

A request for the Planning Commission to provide a recommendation to the City Council regarding proposed amendments to the following Sections of the Sign Regulations of the Zoning Ordinance: 9655.4 (General Entitlements); 9655.4.D (regarding illuminated business hour signage); 9655.4.I (regarding community event

banners); and 9655.10.A.4 (regarding “grand opening” and “now open” banners).

APPLICANT: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301

CASE NOS.: 08-ZOA-004

LOCATION: Citywide

ENVIRONMENTAL DETERMINATION: Addendum to the 1992 Certified Final Environmental Impact Report prepared for the City of Agoura Hills General Plan Update

RECOMMENDATION: Staff recommended the Planning Commission recommend the City Council approve Zoning Ordinance Amendment Case No. 08-ZOA-004.

PUBLIC COMMENTS: Chair O’Meara opened and closed the public hearing.

ACTION: On a motion by Vice Chair Zacuto, seconded by Commissioner Nouzille, the Planning Commission moved to adopt the Resolution, recommending the City Council approve Zoning Ordinance Amendment Case No. 08-ZOA-004. Motion carried 3-0. Commissioner Rishoff and Commissioner Buckley Weber were absent.

ANNOUNCEMENTS ON ITEMS NOT LISTED ON THE AGENDA

(Planning Commission and Staff)

None

ADJOURNMENT

At 9:10 p.m., on a motion by Vice Chair Zacuto, seconded by Commissioner Nouzille, the Planning Commission moved to cancel the next Regular Meeting of the Planning Commission scheduled for July 3, 2008 and adjourned to 6:30 p.m., Thursday, July 17, 2008, for a Regular Meeting of the Planning Commission.

EXHIBIT G-5



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MINUTES OF THE REGULAR SCHEDULED MEETING OF
THE PLANNING COMMISSION
May 5, 2011

CALL TO ORDER:

Chair Rishoff called the meeting to order at 6:35 p.m.

FLAG SALUTE:

Commissioner Moses

ROLL CALL:

Chair Stephen Rishoff, Commissioners Michael Justice, Rick Moses and John O'Meara. Vice Chair Buckley Weber was absent.

Also present were Assistant City Attorney Candice Lee, Director of Planning and Community Development Mike Kamino, Assistant Director of Planning and Community Development Doug Hooper, Associate Planner Valerie Darbouze, Public Works Project Manager Kelly Fisher, Engineering Aide Robert Cortes, City Oak Tree and Landscape Consultant Ann Burroughs, and Recording Secretary Sheila Keckhut.

Chair Rishoff stated that staff had received notification of Vice Chair Buckley Weber's absence prior to the meeting. There were no objections to excusing the absence.

APPROVAL OF AGENDA:

On a motion by Commissioner Justice, seconded by Commissioner O'Meara, the May 5, 2011 Agenda was approved without objection.

PUBLIC COMMENTS:

There were no public comments.

APPROVAL OF MINUTES

1. Minutes – April 7, 2011 Planning Commission Meeting

On a motion by Commissioner Justice, seconded by Commissioner O'Meara, the Planning Commission moved to approve the Minutes of the April 7, 2011 Planning Commission Meeting. Motion carried 4-0. Vice Chair Buckley Weber was absent.

CONTINUED PUBLIC HEARING

2. REQUEST: Request for approval of a Site Plan/Architectural Review to construct a 4,580 square-foot, one story single-family residence with a 672 square-foot garage on a previously developed parcel, and an Oak Tree Permit to encroach in the protected zone of four (4) off-site Oak trees.

APPLICANT: Allen Adel, Lorient & Associates for Parviz Amini
5890 Fairhaven Avenue, #A
Woodland Hills, CA 91367

CASE NOS.: 10-SPR-001 & 10-OTP-011

LOCATION: 5622 Foothill Drive
(A.P.N. 2055-017-007)

ENVIRONMENTAL ANALYSIS: Categorically Exempt from CEQA, per Section 15303(a)

RECOMMENDATION: A draft resolution with conditions of approval was prepared if the Planning Commission's decision was to approve Site Plan/Architectural Review Case No. 10-SPR-001 and Oak Tree Permit Case No. 10-OTP-011.

PUBLIC COMMENTS: Chair Rishoff opened the public hearing.

The following persons spoke on this project.

Mehri Amini, Applicant

Robyn Britton, OAHOA

Chair Rishoff closed the public hearing.

ACTION: On a motion by Commissioner O'Meara, seconded by Commissioner Moses, the Planning Commission moved to adopt Resolution No. 11-1031, approving Site Plan/Architectural Review Case No. 10-SPR-001 and Oak Tree Permit Case No. 10-OTP-011, with conditions. Motion carried 4-0. Vice Chair Buckley Weber was absent.

NEW PUBLIC HEARINGS

3. **REQUEST:** Request for approval of a one-year time extension for a previously-approved Conditional Use Permit that allows for the construction of seven (7) light industrial buildings totaling 103,070 square feet in size; a request for a one-year time extension for an approved Oak Tree Permit that allows for the removal of one (1) Oak tree and the encroachment within the protected zone of one (1) Oak tree for the proposed construction; and a request for a one-year time extension of a Tentative Parcel Map for the subdivision of the 10-acre parcel into 25 commercial/industrial condominium units.

APPLICANT: Brett Trebil for Agoura Business Center North, LLC
5304 Derry Avenue, Suite A
Agoura Hills, CA 91301

CASE NOS.: 06-CUP-003 (Amendment), 06-OTP-005 (Amendment), and TPM 65503 (Amendment)

LOCATION: 28721 Canwood Street (APN 2048-012-026)

ENVIRONMENTAL ANALYSIS: The proposed project is consistent with the Mitigated Negative Declaration and Mitigation Monitoring Program adopted on June 19, 2008, by Planning Commission Resolution No. 937.

RECOMMENDATION: Staff recommended the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 06-CUP-003 (Amendment), Oak Tree Permit Case No. 06-OTP-005 (Amendment), and Tentative Parcel Map 65503

(Amendment), subject to conditions, based on the findings of the Draft Resolution.

PUBLIC COMMENTS: Chair Rishoff opened the public hearing.

The following person spoke on this project.

Brett Trebil, Trebil Construction, representing the Applicant.

Chair Rishoff closed the public hearing.

ACTION: On a motion by Commissioner O'Meara, seconded by Commissioner Moses, the Planning Commission moved to adopt Resolution No. 11-1032, approving Conditional Use Permit Case No. 06-CUP-003 (Amendment), Oak Tree Permit Case No. 06-OTP-005 (Amendment), and Tentative Parcel Map 65503 (Amendment), with conditions. Motion carried 4-0. Vice Chair Buckley Weber was absent.

4. REQUEST: Request for approval of a Conditional Use Permit to construct a 2,431 square-foot residence with an attached, 568 square-foot, two-car garage; and a request for approval of an Oak Tree Permit to encroach in the protected zone of seven (7) on-site Oak trees and one (1) off-site Oak tree for the proposed construction.

APPLICANT: Ashoor Pirouti
12390 Chandler Boulevard, #H
Valley Village, CA 91607

CASE NOS.: 03-CUP-022 and 05-OTP-011

LOCATION: 28454 Renee Drive - Lot 5
(A.P.N. 2061-021-005)

ENVIRONMENTAL DETERMINATION: Exempt from CEQA (Section 15303)

RECOMMENDATION: Staff recommended the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 03-CUP-022 and Oak Tree Permit Case No. 05-OTP-011, subject to conditions, based on the findings of the Draft Resolution.

5. REQUEST: Request for approval of a Conditional Use Permit to construct a 1,874 square-foot residence with an attached, 616 square-foot, two-car garage; and a request for approval of an Oak Tree Permit to encroach into the protected zone of six (6) Oak trees on an adjacent lot and remove one (1) on-site Scrub Oak tree for the proposed construction.

APPLICANT: Ashoor Pirouti
12390 Chandler Boulevard, #H
Valley Village, CA 91607

CASE NOS.: 03-CUP-023 and 05-OTP-012
LOCATION: 28458 Renee Drive - Lot 4
(A.P.N. 2061-021-023)

ENVIRONMENTAL
DETERMINATION: Exempt from CEQA (Section 15303)

RECOMMENDATION: Staff recommended the Planning Commission adopt a motion to approve Conditional Use Permit Case No. 03-CUP-023 and Oak Tree Permit Case No. 05-OTP-012, subject to conditions, based on the findings of the Draft Resolution.

THE PLANNING COMMISSION HEARD BOTH CASE NOS. 03-CUP-022, 05-OTP-011, AND 03-CUP-023, 05-OTP-012 TOGETHER.

PUBLIC COMMENTS: Chair Rishoff opened the public hearing.

The following persons spoke on this project.

David Moss, Moss and Associates, representing the Applicant.

Dan Motta, Resident spoke in favor of the project.

Terry Ahern, Resident, spoke in opposition of the project.

Patty Merrell, Resident, spoke in opposition of the project.

D. Rahm, Resident, spoke in opposition of the project.

REBUTTAL: David Moss, Moss and Associates, representing the Applicant gave rebuttal regarding the project and answered additional questions of the Planning Commission.

Chair Rishoff closed the public hearing.

RECESS: Chair Rishoff called for a recess at 8:43 p.m.

RECONVENE: Chair Rishoff reconvened the meeting at 8:57 p.m.

ACTION: On a minute motion by Commissioner Moses, seconded by Chair Rishoff, motion failed on a 2-2 vote to approve Conditional Use Permit Case No. 03-CUP-023 and Oak Tree Permit Case No. 05-OTP-012. Commissioners Justice and O'Meara opposed. Vice Chair Buckley Weber was absent.

INFORMATION ITEM

6. Introduction of the Upcoming General Plan Implementation Measures Ordinance.

No action was required of the Planning Commission.

PLANNING COMMISSION/STAFF COMMENTS

None

ADJOURNMENT

At 10:17 p.m., the Planning Commission moved to adjourn the meeting to the next scheduled Planning Commission meeting on Thursday, May 19, 2011 at 6:30 p.m. Motion carried 4-0. Commissioner Buckley Weber was absent.